

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE  
PATENTING REJECTION OVER A PRIOR PATENT

Docket Number  
950971B

In re the Application of:

SHIMOYAMA et al.

Serial Number: 09/785,428

Filed: February 20, 2001

For: SEMICONDUCTOR DEVICE, SEMICONDUCTOR DEVICE AND METHOD  
FOR MANUFACTURING THE SAME

TERMINAL DISCLAIMER  
APPROVED

FEB 04 2003

Group Art Unit: 2814

TECHNOLOGY CENTER 2800  
SPECIAL PROGRAM CENTER

Examiner: Wille, Douglas A.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TERMINAL DISCLAIMER  
RECEIVED

Commissioner for Patents  
Washington, D. C. 20231

FEB 04 2003

January 27, 2003

Sir:

OFFICE OF THE SPECIAL  
PROGRAMS EXAMINER

The undersigned, Stephen G. Adrian, is attorney of record in the above-identified patent application. The terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,265,733 is hereby disclaimed, except as provided below. It is agreed that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in

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whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

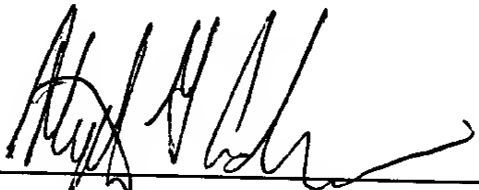
This disclaimer is submitted on behalf of **Mitsubishi Chemical Corporation**, a Japanese company, on whose behalf the undersigned is empowered to act, which owns 100% of the entire and exclusive right, title and interest to the invention entitled **SEMICONDUCTOR DEVICE AND METHOD FOR MANUFACTURING THE SAME**, for which the above-identified patent application was filed on February 20, 2001, Serial No. 09/785,428, and all Letters Patent of the United States to be obtained therefor on said application or any continuation, divisional, substitute, reissue or reexamination thereof for the full term or terms for which the same may be granted, by virtue of an assignment from the inventor(s) of the above-identified patent application. The assignment was recorded in the Patent and Trademark Office at Reel 7761, Frame 0898, or a copy thereof is attached.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

ARMSTRONG, WESTERMAN & HATTORI, LLP

1-27-03  
Date

  
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Stephen G. Adrian  
Attorney of Record  
Reg. No. 32,878 ✓

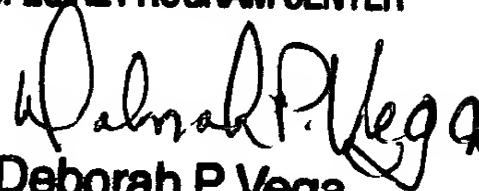
Terminal disclaimer fee under 37 CFR 1.20(d) is included.

PTO suggested wording for terminal disclaimer was unchanged.

**TERMINAL DISCLAIMER  
APPROVED**

**FEB 04 2003**

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